

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SHENZHEN OKT LIGHTING CO., LTD.,

Plaintiff,

v.

JLC-TECH LLC,

Defendant.

ORDER

20 Civ. 5062 (ER)

RAMOS, D.J.

On July 1, 2020, Shenzhen OKT Lighting Co., Ltd. (“OKT”) brought suit for declaratory judgment that U.S. Patent No. 10,508,805, owned by JLC-Tech LLC (“JLC”), was not infringed upon, valid or enforceable. Doc. 1. On August 5, 2020, following JLC’s request for a premotion conference on a proposed motion to dismiss, OKT filed its first amended complaint adding jurisdictional and substantive allegations. Docs. 12, 17. Immediately prior to the premotion conference held by this Court on August 11, 2020, OKT filed a proposed second amended complaint without consent from JLC or leave of the Court. Doc. 20.

OKT has now submitted a letter requesting a premotion conference on a proposed motion for leave to file a second amended complaint. Doc. 21. Under Rule 15 of the Federal Rules of Civil Procedure, a party may amend once “as a matter of course” within 21 days of service. Fed. R. Civ. P. 15(a)(1)(A). Any further amendment, however, requires “the opposing party’s written consent or the court’s leave.” Fed. R. Civ. P. 15(a)(2). The parties are therefore directed to meet and confer regarding whether JLC consents to OKT’s filing of the proposed second amended complaint. By no later than **August 19, 2020**, JLC is directed either (1) to inform the Court that it consents to the filing of the second amended complaint, or (2) to respond to OKT’s request for

a premotion conference on its motion for leave to file the second amended complaint.

It is SO ORDERED.

Dated: August 12, 2020
New York, New York

A handwritten signature in blue ink, appearing to read 'Edgardo Ramos', written over a horizontal line.

Edgardo Ramos, U.S.D.J.